

SENATE BILL 268

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2003 Regular Session
3r0300
CF 3r2058

By: **Senator Hollinger (Chairman, Education, Health, and Environmental Affairs Committee)**

Introduced and read first time: January 31, 2003

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **State Board of Social Work Examiners - Sunset Extension and Program**
3 **Evaluation**

4 FOR the purpose of continuing the State Board of Social Work Examiners in
5 accordance with the provisions of the Maryland Program Evaluation Act (Sunset
6 Law) by extending to a certain date the termination of provisions relating to the
7 statutory and regulatory authority of the Board; providing for the filling of
8 certain vacancies on the Board under certain circumstances; authorizing the
9 Board to elect certain officers; requiring that an evaluation of the Board and the
10 statutes and regulations that relate to the Board be performed on or before a
11 certain date; requiring the Board and the Department of Health and Mental
12 Hygiene to submit a certain report to certain committees on or before a certain
13 date; and generally relating to the State Board of Social Work Examiners.

14 BY repealing and reenacting, with amendments,
15 Article - Health Occupations
16 Section 19-202(a), 19-203, and 19-502
17 Annotated Code of Maryland
18 (2000 Replacement Volume and 2002 Supplement)

19 BY repealing and reenacting, without amendments,
20 Article - State Government
21 Section 8-403(a)
22 Annotated Code of Maryland
23 (1999 Replacement Volume and 2002 Supplement)

24 BY repealing and reenacting, with amendments,
25 Article - State Government
26 Section 8-403(b)(64)
27 Annotated Code of Maryland
28 (1999 Replacement Volume and 2002 Supplement)

1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
2 MARYLAND, That the Laws of Maryland read as follows:

3 **Article - Health Occupations**

4 19-202.

5 (a) (1) The Board consists of 11 members.

6 (2) Of the 11 Board members:

7 (i) 9 shall be licensed social workers of whom:

8 1. SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, 1 is a
9 licensed social work associate;

10 2. SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, 1 is a
11 licensed graduate social worker at the time of appointment;

12 3. At least 1 is a licensed certified social worker;

13 4. At least 4 are licensed certified social workers-clinical;

14 and

15 5. 1 is a licensed social worker employed by the Department
16 of Human Resources; and

17 (ii) 2 shall be consumer members.

18 (3) IF A LICENSED SOCIAL WORK ASSOCIATE OR A LICENSED GRADUATE
19 SOCIAL WORKER IS NOT APPOINTED TO THE BOARD UNDER ITEMS 1. AND 2. OF
20 SUBPARAGRAPH (I) OF THIS SUBSECTION WITHIN SIX MONTHS OF A VACANCY, A
21 LICENSEE OF ANY LICENSE LEVEL SHALL BE APPOINTED IMMEDIATELY IF THAT
22 LICENSEE IS QUALIFIED TO BE A MEMBER OF THE BOARD UNDER SUBSECTION (C) OF
23 THIS SECTION.

24 [(3)] (4) The Governor shall appoint all members of the Board with the
25 advice of the Secretary and the advice and consent of the Senate.

26 [(4)] (5) The Governor shall appoint all social work members of the
27 Board from a list of nominees containing names submitted by:

28 (i) Professional social work associations in the State;

29 (ii) Any person who provides a statement of nomination signed by
30 at least 25 social workers licensed in the State; or

31 (iii) The secretaries of public agencies of the State where social
32 workers are employed.

1 19-203.

2 (a) (1) From among its members, the Board shall elect a chairman and a
3 secretary every 2 years.

4 (2) THE BOARD MAY ELECT OTHER OFFICERS AS NECESSARY TO
5 FULFILL THE DUTIES AND RESPONSIBILITIES OF THE BOARD.

6 (b) The Board shall determine:

7 (1) The manner of election of the chairman, [and] secretary, AND OTHER
8 OFFICERS; and

9 (2) The duties of each officer.

10 19-502.

11 Subject to the evaluation and reestablishment provisions of the Program
12 Evaluation Act, this title and all rules and regulations adopted under this title shall
13 terminate and be of no effect after July 1, [2004] 2014.

14 **Article - State Government**

15 8-403.

16 (a) On or before December 15 of the 2nd year before the evaluation date of a
17 governmental activity or unit, the Legislative Policy Committee, based on a
18 preliminary evaluation, may waive as unnecessary the evaluation required under this
19 section.

20 (b) Except as otherwise provided in subsection (a) of this section, on or before
21 the evaluation date for the following governmental activities or units, an evaluation
22 shall be made of the following governmental activities or units and the statutes and
23 regulations that relate to the governmental activities or units:

24 (64) Social Work Examiners, State Board of (§ 19-201 of the Health
25 Occupations Article: July 1, [2003] 2013);

26 SECTION 2. AND BE IT FURTHER ENACTED, That the State Board of Social
27 Work Examiners and the Department of Health and Mental Hygiene shall report to
28 the Senate Education, Health, and Environmental Affairs Committee and the House
29 Environmental Matters Committee on or before October 1, 2003, in accordance with §
30 2-1246 of the State Government Article, on the implementation of the
31 recommendations of the Department of Legislative Services contained in the sunset
32 evaluation report dated October 2002.

33 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
34 July 1, 2003.